

U.S. District Court
North Carolina Middle District (NCMD)
CRIMINAL DOCKET FOR CASE #: 1:22-mj-00523-LPA-1
Internal Use Only

Case title: USA v. COLEMAN

Date Filed: 12/22/2022

Other court case number: 5:22mj1969 Eastern District of North
Carolina

Assigned to: MAG/JUDGE L.
PATRICK AULD

Defendant (1)

DAVID D. COLEMAN

represented by **LISA S. COSTNER**
Federal Public Defender – NCM
251 N. Main St., Ste 849
WINSTON-SALEM, NC 27101
336-631-5172
Email: lisa_costner@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

Rule 5 Arrest

Disposition

Plaintiff

USA

represented by **ASHLEY E. WAID**
UNITED STATES ATTORNEY'S
OFFICE
101 SOUTH EDGEWORTH STREET,
SUITE 400
GREENSBORO, NC 27401
336-332-6323
Email: ashley.waid@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: United States Attorney

Date Filed	#	Page	Docket Text
12/22/2022			Arrest (Rule 5) of DAVID D. COLEMAN. (Kemp, Donita) (Entered: 12/22/2022)
12/22/2022			Minute Entry for proceedings held before MAG/JUDGE L. PATRICK AULD: INITIAL APPEARANCE IN RULE 5 PROCEEDINGS as to DAVID D. COLEMAN held on 12/22/2022. Defendant advised of rights and charges. Defendant waived his right to an Identity Hearing and a preliminary hearing in the Middle District of North Carolina; The Government agrees to conditions of release and the defendant is ordered Released after processing; Defendant instructed to appear in the Eastern District of North Carolina at 8:00 AM on 1/4/2023 for further proceedings; Order Setting Conditions of Release forthcoming. (AUSA Ashley Waid; Counsel for defendant AFD Lisa Costner; Proceedings Recorded) (Kemp, Donita) (Entered: 12/22/2022)
12/27/2022	<u>1</u>		SEALED FINANCIAL AFFIDAVIT by DAVID D. COLEMAN. (Sheets, Jamie) (Entered: 12/27/2022)
12/27/2022	<u>2</u>		ORDER appointing Assistant Federal Public Defender LISA S. COSTNER for DAVID D. COLEMAN. Signed by MAG/JUDGE L. PATRICK AULD on 12/22/2022. (Sheets, Jamie) (Entered: 12/27/2022)
12/27/2022	<u>3</u>		WAIVER of Rule 5 & 5.1 Hearing by DAVID D. COLEMAN. (Sheets, Jamie) (Entered: 12/27/2022)
12/27/2022	<u>4</u>		ORDER Setting Conditions of Release for DAVID D. COLEMAN. Signed by MAG/JUDGE L. PATRICK AULD on 12/22/2022. (Sheets, Jamie) (Entered: 12/27/2022)

MIME-Version:1.0
From:ECF@ncmd.uscourts.gov
To:ecf@ncmd.uscourts.gov
Bcc:
--Case Participants: ASHLEY E. WAID (ashley.waid@usdoj.gov, shaquitta.johnson@usdoj.gov, usancm.ecfcriminal@usdoj.gov), MAG/JUDGE L. PATRICK AULD (david_levintow@ncmd.uscourts.gov, judge_auld@ncmd.uscourts.gov, kimberly_garrett@ncmd.uscourts.gov, sinead_o'doherty@ncmd.uscourts.gov, wanda_williamson@ncmd.uscourts.gov)
--Non Case Participants: Probation Office (duty@ncmp.uscourts.gov), U. S. Marshal's Office (breanna.wilton@usdoj.gov, ecf.usmsncm@usdoj.gov, jeannie.helms@usdoj.gov, jessica.williams2@usdoj.gov, michael.montalvo@usdoj.gov)
--No Notice Sent:

Message-Id:3736233@ncmd.uscourts.gov
Subject:Activity in Case 1:22-mj-00523-LPA USA v. COLEMAN Arrest - Rule 5
Content-Type: text/html

U.S. District Court

North Carolina Middle District

Notice of Electronic Filing

The following transaction was entered on 12/22/2022 at 2:58 PM EST and filed on 12/22/2022

Case Name: USA v. COLEMAN
Case Number: 1:22-mj-00523-LPA
Filer:
Document Number: No document attached
Docket Text:
Arrest (Rule 5) of DAVID D. COLEMAN. (Kemp, Donita)

1:22-mj-00523-LPA-1 Notice has been electronically mailed to:

ASHLEY E. WAID ashley.waid@usdoj.gov, shaquitta.johnson@usdoj.gov, usancm.ecfcriminal@usdoj.gov

1:22-mj-00523-LPA-1 Notice will not be electronically mailed to:

MIME-Version:1.0
From:ECF@ncmd.uscourts.gov
To:ecf@ncmd.uscourts.gov
Bcc:
--Case Participants: ASHLEY E. WAID (ashley.waid@usdoj.gov, shaquitta.johnson@usdoj.gov, usancm.ecfcriminal@usdoj.gov), MAG/JUDGE L. PATRICK AULD (david_levintow@ncmd.uscourts.gov, judge_auld@ncmd.uscourts.gov, kimberly_garrett@ncmd.uscourts.gov, sinead_o'doherty@ncmd.uscourts.gov, wanda_williamson@ncmd.uscourts.gov)
--Non Case Participants: Probation Office (duty@ncmp.uscourts.gov)
--No Notice Sent:

Message-Id:3736269@ncmd.uscourts.gov
Subject:Activity in Case 1:22-mj-00523-LPA USA v. COLEMAN Initial Appearance - Rule 5
Content-Type: text/html

U.S. District Court

North Carolina Middle District

Notice of Electronic Filing

The following transaction was entered on 12/22/2022 at 3:09 PM EST and filed on 12/22/2022

Case Name: USA v. COLEMAN
Case Number: 1:22-mj-00523-LPA
Filer:
Document Number: No document attached

Docket Text:

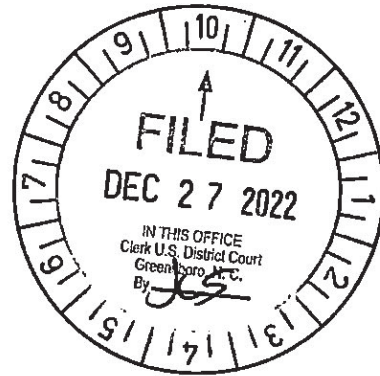
Minute Entry for proceedings held before MAG/JUDGE L. PATRICK AULD: INITIAL APPEARANCE IN RULE 5 PROCEEDINGS as to DAVID D. COLEMAN held on 12/22/2022. Defendant advised of rights and charges. Defendant waived his right to an Identity Hearing and a preliminary hearing in the Middle District of North Carolina; The Government agrees to conditions of release and the defendant is ordered Released after processing; Defendant instructed to appear in the Eastern District of North Carolina at 8:00 AM on 1/4/2023 for further proceedings; Order Setting Conditions of Release forthcoming. (AUSA Ashley Waid; Counsel for defendant AFD Lisa Costner; Proceedings Recorded) (Kemp, Donita)

1:22-mj-00523-LPA-1 Notice has been electronically mailed to:

ASHLEY E. WAID ashley.waid@usdoj.gov, shaquitta.johnson@usdoj.gov, usancm.ecfcriminal@usdoj.gov

1:22-mj-00523-LPA-1 Notice will not be electronically mailed to:

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA)

v.)

1:22mj523

DAVID D. COLEMAN)

ORDER

The defendant having demonstrated eligibility for appointment of counsel at government expense, Assistant Federal Public Defender Lisa S. Costner is directed to provide representation in this action.

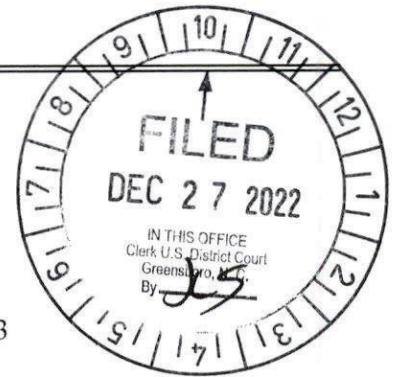
/s/ L. Patrick Auld
L. Patrick Auld
United States Magistrate Judge

Date: December 22, 2022

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina



United States of America

v.

Case No. 1:22mj423

DAVID D. COLEMAN

Charging District's Case No. 5:22mj1969

Defendant

WAIVER OF RULE 5 & 5.1 HEARINGS (Complaint or Indictment)

I understand that I have been charged in another district, the *(name of other court)* Eastern District of North Carolina

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- LPA*
- ☒ an identity hearing and production of the warrant.
 - ☐ a preliminary hearing.
 - ☐ a detention hearing.
 - ☒ ~~an identity hearing, production of the warrant, and any preliminary or detention hearing~~ to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: December 22,
2022

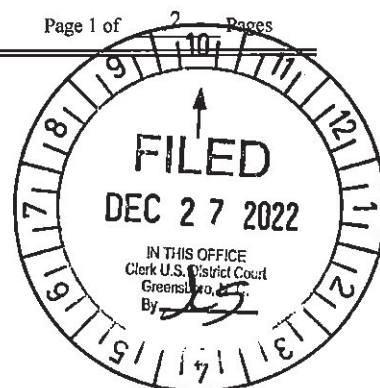
David D. Coleman
Defendant's signature

Signature of defendant's attorney

Lisa Costner

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT
for the
Middle District of North Carolina



United States of America
v.

David Coleman

Defendant

Case No. 1:22mj523

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: 301 Green St., Fayetteville, NC 28301

Place

on January 4, 2023 at 8:00 a.m.

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.


Defendant's Signature_____
City and State**Directions to the United States Marshal**

- (☒) The defendant is ORDERED released after processing.
() The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 12/22/2022


Judicial Officer's Signature

L. Patrick Auld, U.S. Magistrate Judge

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL